



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**INSTITUTE FOR RESEARCH AND DEVELOPMENT,
SRI LANKA (INCORPORATION)**

**A
BILL**

to incorporate the Institute for Research and Development, Sri Lanka

Presented by Hon. Achala Jagodage, M.P. on 05th November, 2013

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Ordered by Parliament to be printed

[Bill No. 275]

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*Institute for Research and Development, Sri Lanka
(Incorporation)*

AN ACT TO INCORPORATE THE INSTITUTE FOR RESEARCH AND
DEVELOPMENT, SRI LANKA

WHEREAS an Institute called and known as the Preamble.
“Institute for Research and Development” has been
established in Sri Lanka in year 2000, and first registered as
a Not for Profit Organization under the companies act in
5 2004 (registration number N(A) 1170) and under the new
amemdmnts to the act it was reregistered in 2011 as a Not
for Profit Professional Guarantee Limited Organization
(registration number GA 635) under the name of Forum for
Research and Development for the purpose of effectually
10 carrying out and transacting all objects and matters connected
with the said institution according to the rules agreed to by
its members. To fulfill the aspirations and expectations of
the research community and the public in order to expand
and extend research and related activities within the country.
15 In addition to be accountable and transparent to the public:

AND WHEREAS the said research Institute has heretofore
successfully carried out and transacted objects and matters
for which it was established, with regional and international
acclaim and has applied to be incorporated, and it will be for
20 the public advantage to grant the application :

BE it therefore, enacted by the Parliament of the Democratic
Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Institute for Research Short title.
and Development, Sri Lanka (Incorporation) Act, No. of
25 2013.

2. From and after date of commencement of this Act, such Incorporation
and so many persons as presently are members of the Institute of the
for Research and Development (hereinafter referred to as the Institute for
“Institute”) or shall hereafter be admitted as members of the Research &
30 Corporation hereby constituted, shall be a body corporate, Development
Sri Lanka.

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(hereinafter referred to as the "Corporation") with perpetual succession, under the name and style of the "Institute for Research and Development" and by that name may sue and be sued and all Courts with full power and authority to have and use a common seal and to alter same at its pleasure.

3. The general objects for which the Corporation is constituted are hereby declared to be :—

General
objects of the
Corporation.

- (a) to establish and institute of Research and Development non-profit making research academy ;
- 10 (b) to promote and assist the advancement of academic research by development, training, education and extension ;
- (c) to observe, promote and safe-guard higher ethical standards as an essential component of research, through development, training, education, extension and protect the rights of the research participants through ethic review procedures ;
- 15 (d) to sponsor, conduct, hold and organize conferences, seminars, workshops, group studies, exhibitions and training programs and to produce and publish newsletters, journals, magazines, books, films, video films, cassettes, electronic data and information storage devises for furthering the object of the Institute in Sri Lanka and abroad ;
- 20 (e) to conduct short courses, certificate courses and diploma courses and to award certificates and diplomas for those who successfully complete the requirements as set out in the rules of the corporation ;
- 25 (f) to award local and international fellowships, scholarships, distinction title, prizes, bursaries, studentships and similar awards and to undertake research projects for carrying out the purpose of the Institute ;
- 30

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5 (g) to co-operate with governmental and non
governmental organizations and national and
international institutes engaged in similar academic
areas in order to promote research, development
training, education and extension ;

(h) to promote professional interest of the members of
the corporation ; and

10 (i) administration, development and promotion of the
Sri Lanka Twin Registry a section of the Institute,
with its total administrative authority and the
ownership of its data bases, and the research
laboratory.

(2) in the implementation of the objects specified in
subsection (1) the council shall ensure that such
15 implementation shall be carried out without any distinction
based on race, religion, language, cast, sex political opinion
or place of birth.

20 4. (1) The affairs of the Corporation shall subject to the
provisions of this Act and the rules in force for the time
being of the Corporation be administered by a Council of
members consisting of maximum of seven who shall be
elected at an Annual General Meeting and shall hold office
for a terms of three years. Provided that the first Council
shall hold office for a term of three years or until such time
25 they tender their resignation in writing to the Institute.

Management
of the affairs
of the
Corporation.

(2) The first Council of Members of the Corporation shall
be the Council members of the Institute for Research and
Development holding office on the day immediately
preceding the commencement of this Act and whose names
30 are specified in the schedule hereto.

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5. Subject to the provision of this Act and any other written law, the Corporation shall have the power to do, perform and execute, all such acts, matters and things whatsoever, as are necessary or desirable for the promotion, or furtherance of the objects of the Corporation or any one of them, including the power to—
- General powers of the Corporation.
- 10 (a) acquire, hold, take or give on lease or hire mortgage, pledge, sell, exchange or otherwise alienate, encumber or dispose of any immovable property for the purpose of the Corporation ;
- (b) construct and otherwise obtain lands or building which may be required for purposes of the Corporation ;
- 15 (c) borrow or raise money from the government approved banks and other institutions (foreign and local) for the purposes of the Corporation ;
- (d) invests its funds, and to maintain current deposit and savings account in any bank that Council of Members may think fit ;
- 20 (e) to accept, raise and receive subscriptions, grants, donations and gifts of all kinds ;
- (f) to enter into agreements or contracts with any person, company or body of persons to advance its objects ;
- 25 (g) to conduct research projects commissioned or outsourced by other organizations or individuals ;
- (h) to own, manage and govern all affairs related to the Sri Lanka Twin Registry ;

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- (i) appoint, employ, transfer, exercise disciplinary control over and dismiss officers and servants required for the carrying out of the objects of the objects of Corporation ;
 - 5 (j) to train personnel in Sri Lanka or abroad for the purpose of the Corporation ; and
 - (k) to do all other things are necessary or expedient for the proper and effective carrying out of the objects of the Corporation.
- 10 **6.** (1) It shall be lawful for the Corporation, from time to time at any general meeting of the Corporation and by a majority of not less than than two-thirds of the members present and voting to make rules, not inconsistent with the provisions of this Act, or any other written law, for all or any
- 15 of the following matters :—
- (a) the classification of membership, fees payable by each class of members their admissions, withdrawal or expulsion or resignation ;
 - 20 (b) the election of the Council of Members or vacation of or removal from office as office bearers and powers, duties and conduct of the Council of Members ;
 - (c) the appointment, power, duties functions and conduct of the various officers, agents and servants of the Corporation ;
 - 25
 - (d) the procedure to be observed at and the summoning and holding of meetings of the Council, the Corporation or any sub-committee thereof, filling of vacancies, notices and agenda of such meetings, the quorum therefore and the conduct of business thereat ;
 - 30
- Rules of the Corporation.

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(e) the qualifications and disqualifications for Council of Members ; and

5 (f) the administration and management of the property of the Corporation and the accomplishment of its objects of the Corporation.

(2) The rules of the Institute in force on the day preceding the date of commencement of this Act shall insofar as they are not inconsistent with the provisions of this Act or other written law be deemed to be the rules of the Corporation and
10 may be amended, altered, added to or rescinded at a meeting and in like manner as a rule made under subsection (1) of this Section.

(3) The members of the Corporation shall at all times be subject to the rules for the time being of the Corporation.

15 7. All debts and liabilities of the Institute existing on the day preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted, and all debts due to subscriptions and contributions payable to the Institute on that day shall be paid to the Corporation for the
20 purposes of this Act. Debts due by and payable to the Institute.

8. No member of the Corporation shall, for purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contributor exceeding the amount of such membership fees as may be
25 due from him to the Corporation. Limitations of the liabilities of the Corporation.

9. The Corporation shall subject to rules of the Corporation be able and capable in law, to take and hold any property, movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary
30 disposition of otherwise, and all such property shall be held by the Corporation for the purposes of this Act and subject to the rules in force for the time being of the Corporation of this Act with full power to sell, mortgage, lease, exchange or otherwise dispose of the same. Corporation may hold and dispose of property movable and immovable.

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5 **10.** (1) The Corporation shall have its own fund and all moneys heretofore or hereafter to be received by way of gift, bequest, donation, subscription, contribution fees or grants for or and on account of the Corporation shall be deposited in one or more banks as the Corporation shall determine.

Funds of the Corporation.

(2) There shall be paid out of the fund all sums of moneys as are required to defray any expenditure incurred by the Corporation in the exercise and discharge of its powers and functions under this Act.

10 (3) The money and property of the Corporation however derived shall be applied solely towards the promotion of the objects of the Corporation.

15 **11.** (1) The Corporation shall cause proper account to be kept of the money received and expended by the Corporation.

Accounts and Auditing.

20 (2) The accounts of the Corporation shall be examined and audited at least once in every year and the correctness of income and expenditure account and the balance sheet certified by the auditors who shall be the associate members of the Institute of Chartered Accountants of Sri Lanka appointed by the Corporation.

25 **12.** If upon the dissolution of the Corporation there remains after the satisfaction of all its debts and liabilities, any property whatsoever, such property shall not be distributed among the members of the Corporation but shall be given or transferred to institution or institutions having objects similar to the objects of the Corporation, and which is or are by the rules thereof prohibited from distributing any income or property among the members of the such institution or institutions and at the discretion of the Council of Member the Corporation.

Property remaining on dissolution.

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13. The seal of the Corporation shall be kept in the custody of the Council of Members of the Corporation and shall not be affixed to any instrument whatsoever, except in the presence of two members of the Council of the Corporation and who shall sign their names to the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.
- 5
14. Nothing in this Act contained shall prejudice or affect the rights of the Republic or any body corporate or any other persons, except such as are mentioned in this Act, and those claiming by, from or under them.
- 10
15. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.
- Seal of the Corporation.
- Saving of the Rights of the Republic and others.
- Sinhala text to prevail in case of inconsistency.

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